CONFIDENTIAL cc Bud, Paul, Gary only 1/6/70

Tom Kelley and the Secret Service played a dirty little trick on me that is so simple, so clever, that I enjoy it. They "gave" me the memo of transfer almost a year ago, through the Archives, which for long sat on it, not letting me know this had happened (and not knowing I knew), then stalled, then denied, etc. Because of developments in my clothing/pix suit I went to Tom and told him that I wanted to see it for purposes of protecting my interests in this suit, where the government had made it relevant. I also told him that later I would pursue efforts to get a copy to use in my writing, but that was not my immediate interest. I also said that because the SS was the agency of paramount interest, if he didn't give me a copy, not to use in public, I'd subpoena it for the hearing.

Today he told me they had given it to the Archives. I said you did that long ago--are you telling me you also gave them the original? He said yes.

I laughed and told him I had no intentions of suing his (the reason he gave me for stopping it) unless they forced me to, and this would not. I also told them I didn't think this eliminated my subpoena possibilities, but (if I have any choice, I'll avoid it).

So, personally, declassified the withheld SS reports. It is his recollection that the only SS files still classified are those originating with other agencies where he feels (and I didn't and can't argue) that this is the function and responsibility of the agency of origin. His estimate is that the total of these is very small.

They have no correlation between OD and SS control because they thought, with the existence of the Commission, to which they'd given everything, there was no further need.

They did not give their index cards to the Archives. They had given them to the Commission and these were transferred to the Archives with the rest of the WC stuff.

They have never interviewed Novella Calre. Not at the time of the WC, but at the time of the JG investigation.

They never had any serious interest in Ferrie and never did any real work on him.

Despite the contrary impression given by Rhoads 12/21/79 letter to me, which you all have, and the existence of the list, the declassification is NOT completed yet. Rhoads told me this today, belatedly, in response to my 12/24, carefully delayed and then mailed special delivery in time not to reach me before I left for DC today. However, because I went to the PO, I did get it. I had to leave town before the rural mail leaves for our route deliveries.

Despite the transfer of everything to the Archives, the SS can still tell, within five minutes, if it has a file on anyone connected with the assassination. They checked on Caire for me today, while I was on the phone with Kelley.

Perhaps I am wrong, but I have the feeling that the SS wants nothing of its origin classified and would be happier if everything possible were declassified.

It is possible that this transfer to the Archives originated in Justice, for when we spoke of it, Kelley told me they'd consult with Justice.

Jim